

**Lowell B. Davis**

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**MEMO ENDORSED**

August 2, 2021

United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, N.Y. 10601

Re: Mark A. Tulis as Chapter 7, 20 CV 5624  
Trustee of the Estate of Bruce J. Paswall  
v Grant Paswall & Reid Paswall

Dear Judge Kenneth M. Karas:

This office represents the Appellants in the above referenced matter. We are scheduled for oral argument on August 3, 2021. We are in receipt of the Court's order dated July 30, 2021 regarding requests for adjournments of matters that appear on the Court's August 3, 2021 calendar.

We respectfully request an adjournment of the oral argument of Appellants' appeal scheduled for August 3, 2021. We have sought the consent of the Appellee who denied our request on Friday July 30, 2021.

By letter dated July 10, 2021, we first communicated with counsel for the trustee related to a resolution. The last we heard back via e-mail on July 23, 2021. The letter was not received until forwarded via USPS. The letter was sent to our old address. Further correspondence was exchanged, the last being from counsel for the trustee was Friday July 30, 2021. In the interim counsel for the trustee was also unavailable for a few days. My clients are prepared to continue discussions with trustee with an eye towards a resolution. The issues have been narrowed somewhat and an adjournment of oral argument of the pending appeal, will maintain a level playing field. Since our brief was filed the matter has been adjourned numerous times by the appellee. We were never asked for our consent nor make any objection. Certainly neither side can claim prejudice.

Tomorrow I have a tentative appearance before Nassau Supreme Court judge, the Hon. Roy S. Mahon of a motion served on July 15, 2021. I am uncertain if the Court intends to hear same on submission, or virtually and will not know until later today for certain

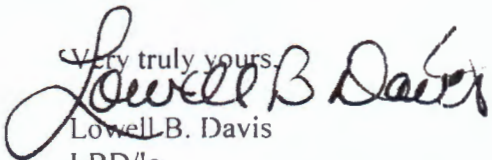
Notwithstanding we did receive a rejection from counsel for the trustee, specific enough to warrant a response. We are prepared to counter the objections if given the opportunity by the Court.

Denied as untimely.

So Ordered.

8/2/21

Very truly yours,



Lowell B. Davis  
LBD/le

cc: David Blansky, Esq Atty for Trustee via ECF

Gary Gary R. Gjertsen, Esq. Atty for Debtor via Pacer and First class mail